



## TOWN OF ARLINGTON

730 Massachusetts Ave.  
Arlington, MA 02476  
781-316-3012

### ARLINGTON CONSERVATION COMMISSION

#### Arlington Conservation Commission

#### Minutes

May 16, 2019

Mr. Stevens called the meeting to order at 7:33 p.m. in the second floor conference room of the Town Hall Annex. Present were Commission Members Nathaniel Stevens, David White, Charles Tirone, Mike Nonni, Susan Chapnick, and Pam Heidell; Associate Commissioner Cathy Garnett; and Conservation Agent Emily Sullivan. Commissioner Curt Connors was absent. Also present were Michael Wilson, Patrick Seekamp, Michael Juliano, and Richard Tibbetts.

#### **Administrative**

##### 03/07/2019 Meeting Minutes

The Commission discussed edits to the draft minutes. D. White motioned to approve the minutes as edited, M. Nonni seconded, all were in favor, motion approved.

##### Lowering Level at Spy Pond

E. Sullivan informed the Commission that the elevation of Spy Pond must be lowered by approximately 1 foot to complete the approved and permitted work of the Spy Pond Edge and Erosion Control Project. Spy Pond has been lowered 6 inches and will likely be lowered another 6 inches within the next several weeks.

##### Spy Pond Trails Day

C. Garnett summarized the Spy Pond Committee's annual event. The event was supported by local volunteers and volunteers from the Appalachian Mountain Club. E. Sullivan also attended the event and took photos for upcoming newsletters. Volunteers cleaned the Route 2/Spy Pond pathway of litter, pruned overgrowth, and planted new dogwoods to prevent erosion and stabilize the pond's banks.

##### Town Day 2019

N. Stevens asked the Commission if they wanted to have their own booth for Town Day in September. During Town Day 2018, the Commission had its own booth. Commissioners agreed that having an Arlington Conservation Commission booth was beneficial last year, and agreed to have a Conservation Commission booth again this year. S. Chapnick suggested getting Land Stewards to volunteer at the booth as well as Commissioners. C. Tirone suggested having an interactive and fun event at the booth to attract more people and engage the community in learning. D. White suggested having invasive plant samples at the booth. C. Garnett suggested

having photos of recently completed projects, such as Spy Pond, Wellington Park, and the Mystic Restoration Site. E. Sullivan will work with the Select Board Office to get a booth and also purchase a tent hopefully with the Commission's name on it.

#### McClennen Park

S. Chapnick and D. White explained that currently the grass at McClennen is being mowed right to the water's edge, which is impacting the wildlife habitat. S. Chapnick and D. White proposed that grass be left to grow out, and that only areas within 10 feet of the path through the park is mowed. D. White volunteered to summarize these recommendations in a letter.

#### **Certificate of Compliance: 54 Dothan Street**

*Documents Reviewed: Order of Conditions, issued 8/22/2008*

*Buffer Zone Re-Vegetation Plan prepared by LEC Environmental, dated 8/7/2008*

*Re-Vegetation Memorandum, 8/7/2008*

*As-Built Plan, dated 6/27/2015*

*Request for Certificate of Compliance, dated 5/9/2019*

*Buffer Zone Re-Vegetation Plan prepared by Riley Landscaping, dated 5/9/2019*

*Resource Area: Reeds Brook, 100-Foot Adjacent Upland Wetland Resource Area (AURA) under the Arlington Wetland regulations*

M. Wilson requested a Certificate of Compliance for 54 Dothan Street, approved by the Commission in 2008. M. Wilson explained that the property's builder initially filed the Notice of Intent, receiving an Order of Conditions in 2008, but had never installed the approved planting plan. M. Wilson is trying to sell the property now, but cannot until the Certificate of Compliance is issued. M. Wilson worked with Riley Landscaping to review the approved planting plan developed by LEC Environmental in 2008. Riley Landscaping recommended a few changes to the plan to make the back yard a more natural wetland environment. The Riley Landscaping revised planting plan was installed on 5/13/2019.

M. Nonni and C. Garnett stated that the revised planting plan create by Riley Landscaping provide sufficient replacements for the originally approved plan. N. Stevens questions whether there was any stipulation regarding planting plan monitoring, as the Commission usually conditions a three year monitoring period to ensure survival of plantings. P. Heidell noted that such a condition was not included in the project's Order of Conditions. C. Tirone stated the importance of monitoring the plantings given how the plantings were only installed a few days prior. In reviewing the file provided by E. Sullivan, N. Stevens discovered a statement regarding monitoring the plantings in the LEC Re-Vegetation Memorandum, dated 8/7/2008. Since the Order of Conditions references the LEC memorandum, the plantings must be monitored for three years.

All other project conditions have been completed except for the three year monitoring period for all plantings as referenced in the LEC Re-Vegetation Memorandum. Since the monitoring has not been completed, the Commission suggested issuing a Partial Certificate of Compliance. The New Property Owner shall call the Arlington Conservation Agent (781-316-3012) to conduct a vegetation inspection each November during the three year monitoring period. These inspections will ensure the survival of the plantings installed per the Riley Landscaping planting plan.

C. Tirone moved to issue a Partial Certificate of Compliance with the condition that the plants are monitored by the Arlington Conservation Agent for a three year monitoring period to ensure plant survival, D. White seconded, all were in favor, motion passed.

**Notice of Intent (continued from 5/2/2019): 100 Spy Pond Parkway**

*Documents Reviewed: NOI Package, dated 4/8/2019*

*Conservation Commission NOI Project Description (additional information regarding the alternatives analysis), prepared by ZeroEnergy Design, dated 5/8/2019*

*NHESP Letter, prepared by NHESP, dated 5/8/2019*

*100 Spy Pond Parkway Stormwater Analysis, prepared by Town Engineer W. Chouinard, dated 5/15/2019*

*100 Spy Pond Parkway Stormwater Revisions Memo, prepared by Eaglebrook Engineer, dated 5/16/2019*

*Resource Area: Spy Pond, Bordering Vegetated Wetland and associated 100-Foot Buffer Zone (Wetlands Protection Act)/100-Foot Adjacent Upland Wetland Resource Area (AURA)(Arlington Wetland Regulations)*

M. Juliano presented the proposal to tear down an existing home and rebuild a new home at 100 Spy Pond Parkway. The proposed work would include landscaping such as invasive species removal and a vegetated mitigation buffer within 25-feet of the pond's edge. The proposal also includes installing stormwater infiltration systems in the front and back of the proposed structure, which would capture all of the roof runoff. The proposed home would be a zero energy and passive home. The current home is 84 feet from the pond, and the proposed home is 85 feet from the pond. The current patio is 74 feet from the pond, and the proposed patio is 81 feet from the pond. The current proposal would increase impervious surface in the AURA by 21 square feet, and would increase impervious surface by 37 square feet on the entire property.

P. Seekamp discussed the wetland delineation and the proposed mitigation planting. The bordering vegetated wetland is 5 feet wide. P. Seekamp also stated that the plans had been sent to the Natural Heritage and Endangered Species Program (NHESP) for review but that he had not heard back. N. Stevens stated that the hearing cannot be closed without NHESP's approval.

During the 5/2/2019 hearing, the Commission requested that additional information be submitted for further review. Additional information included the NHESP review, a stormwater review by the Town Engineer, and additional information regarding the alternatives analysis.

Town Engineer, W. Chouinard, reviewed the stormwater management plan and had a few questions and suggestions. M. Juliano responded to all questions and suggestions in a letter dated May 16, 2019 and with an accompanying updated plan.

D. White stated questioned whether the proposed mitigation buffer (12.5 feet wide) was large enough. P. Heidell stated that the proposal has more infiltration than the current conditions. S. Chapnick suggested that the Commission be consistent with the vegetated mitigation buffers that it approves in the AURA. P. Heidell stated that intensity of current site development may dictate what is appropriate for a mitigation buffer.

C. Tirone summarized his site visit of the property. He noted that the edge of the property along the pond, where the proposed mitigation buffer is, is fairly wet. P. Seekamp confirmed that the plants selected for the mitigation buffer are water tolerant and appropriate for wet conditions. P. Seekamp also noted that no invasive plants onsite will be pulled until NHESP performs its botanic survey of the site.

D. White stated again that the project may need a wider mitigation buffer. C. Garnett stated that a 12.5-foot buffer is more practical for a residential property than a 25-foot buffer. She also noted that the 12.5-foot buffer is better than current conditions. S. Chapnick noted that after the proposed 12.5-foot mitigation buffer, there is 2-3 feet of wetlands before the water's edge. m. Nonni stated that the proposed mitigation buffer of 830 square feet is more than adequate mitigation for the increase of 21 square feet of impervious surface in the AURA.

D. White stated that he was more comfortable with the 12.5-foot mitigation buffer given the 2-3-foot of wetlands before the water's edge.

S. Chapnick moved to close the public hearing, M. Nonni seconded, all were in favor, motion passed.

The Commission deliberated and agrees to apply the following conditions to the project's approved Order of Conditions: maintain all pervious surfaces outlined on the approved plans, no non-native plants or lawns can be installed, if NHESP requires planting changes the Applicant must file for plan amendments, and monitor plantings for a three year monitoring period to ensure at least an 80% survival of all plants.

S. Chapnick motioned to approve the NOI with the discussed conditions under the Wetlands Protection Act and Arlington Wetlands Protection Bylaw, D. White seconded, all were in favor, motion passed. P. Heidell abstained from the vote since she was not present for the first hearing.

S. Chapnick stated that she appreciated the fact that the property owners are building a zero energy home. C. Garnett stated that this project is a good model for other potential projects along Spy Pond.

**Working Session (continued from 4/04/2019): 47 Spy Pond Lane, Lot 1/A**

E. Sullivan stated that there was little new information since the last working session.

W. Chouinard sent E. Sullivan an email indicating that the Town would not pay for stormwater unit installation, and would only pay for operation and maintenance of the unit. Therefore, W. Chouinard recommended that S. Seaver purchase and install a smaller unit.

S. Chapnick stated that the Commission needs to better understand the requirements for the alternatives analysis. P. Heidell volunteered to research other communities' alternatives analysis language. C. Garnett suggested that the Commission think seriously about determining what is an appropriate vegetation buffer along Spy Pond to guide future project proposals.

Meeting adjourned at 9:47pm.

The Conservation Commission's next meeting scheduled for Thursday, June 6, 2019 at 7:30pm in the second floor conference room of the Town Hall Annex.

Respectfully submitted,  
Emily Sullivan